

Greek Philosophers and the Rule of Law

Nearly 2,400 years ago, the Greek philosophers Plato and Aristotle explored political philosophy. Aristotle concluded that “it is evident that the form of government is best in which every man, whoever he is, can act best and live happily.”

In Philadelphia some 2,000 years after Plato and Aristotle’s time, a group of men was trying to write a constitution. George Washington, James Madison, and the other framers of the Constitution were dedicated to constructing a just government. Americans had overthrown what they considered a tyrannous British government. The framers wanted to create a national government free of tyranny, governed by the rule of law.

The new American nation was quite different from the ancient Greek city-states. Still, many of the framers at Philadelphia had studied and understood Plato’s and Aristotle’s political philosophies. And they were grappling with many of the same political questions.

Tyranny and the Rule of Law

Plato and Aristotle both developed important ideas about government and politics. Two of the many political subjects that these men wrote about were tyranny and the rule of law. Tyranny occurs when absolute power is granted to a ruler. In a tyrannical government, the ruler becomes corrupt and uses his power to further his own interests instead of working for the common good.

The rule of law is the principle that no one is exempt from the law, even those who are in a position of power. The rule of law can serve as a safeguard against tyranny, because just laws ensure that rulers do not become corrupt.

Athenian Democracy

Socrates, Plato, and Aristotle lived in the Greek city-state of Athens. In Athenian democracy, all male citizens directly participated in making laws and deciding jury trials. Yearly elections decided who would fill important government positions. Citizens drew lots to see who would staff the remaining posts.

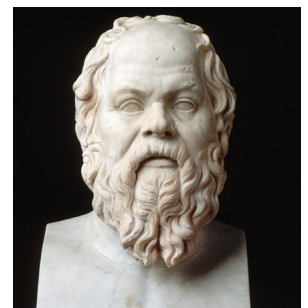
Athens had reached its height in political power before Plato was born. Its decline began with a long war with Sparta, a rival city-state. The war ended in 404 BCE with Athens’ defeat. Athens regained its democracy, but shortly after Plato’s death, the city-state fell under the control of Macedon, a kingdom north of Greece. The city remained, however, a cultural center.

Socrates (c. 469-399 BCE) and Plato (c. 428–347 BCE)

Plato was a student of Socrates. Socrates taught by asking questions about a subject and getting his students to think critically about it. Today, this is known as the Socratic method, used by many teachers and professors.

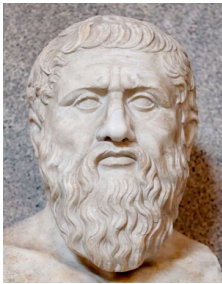
Socrates’ questioning often led to criticism of Athenian democracy and its politicians. He angered many people by his method of questioning since his questions often showed that people were not as wise as they claimed to be. An increasing number of Athenians viewed Socrates as a threat to their city-state. A few years after losing the war with Sparta, Athens put the 70-year-old Socrates on trial for not respecting the gods of Athens and for corrupting the young. Socrates denied the accusations, but he was found guilty and sentenced to death by poisoning (probably hemlock) by a jury of his fellow citizens. Socrates gave a speech at his trial in response to the accusations made against him in which he defended living an examined life. His parting comments to his judges were simple, as recorded in Plato’s *Apology*: “The hour of departure has arrived, and we go our ways—I to die, and you to live. Which is better God only knows.”

When Socrates died, Plato concluded that democracy was a corrupt and unjust form of government. He left Athens for a decade. Returning in 387 BCE, he established a school of higher learning called the Academy.



Socrates
Image: Araldo de Luca/Corbis

Plato's Republic



Plato
Staatliche Museen zu Berlin

Plato's most important work on politics is his *Republic*, published around 380 BCE. Written as a dialogue among characters, the book describes a small group of Athenians discussing political philosophy. The main character is Socrates, who voiced Plato's ideas. (Socrates never wrote down his ideas.) *The Republic* examines the meaning of justice, looks at different types of government, and outlines the ideal state. It touches on many subjects, including law and tyranny.

Plato looked at four existing forms of government and found them unstable. The first is **timocracy**, a military state, like Sparta, based on honor. But such a state will fall apart:

The accumulation of gold in the treasury of private individuals is the ruin of timocracy; they invent illegal modes of expenditure; for what do they care about the law? . . . And then one, seeing another grow rich, seeks to rival him, and thus the great mass of the citizens become lovers of money. . . . And so at last, instead of loving contention and glory, men become lovers of trade and money; they honor and look up to the rich man, and make a ruler of him, and dishonor the poor man.

An **oligarchy**, the rule of a few (the rich), leads to

a city of the rich and a city of the poor, dwelling together, and always plotting against one another. . . .

The poor will overthrow the oligarchy and set up a **democracy**, the rule of the people. Plato thought that democratic "life has neither law nor order." An unquenchable desire for limitless liberty causes disorder, because the citizens begin to

chafe impatiently at the least touch of authority and at length, . . . they cease to care even for the laws, written or unwritten; they will have no one over them.

Stressing moderation, Plato warned that "the excessive increase of anything often causes a reaction in the opposite direction," such that the "excess of liberty, whether in states or individuals, seems only to pass into excess of slavery." Like an oligarchy, a democracy pits the poor against the rich.

Plato deemed **tyranny** the "fourth and worst disorder of a state." Tyrants lack reason and the tyrannical state lacks reason and order. In a tyranny, no outside governing power controls the tyrant's selfish behavior. To Plato, the law can guard against tyranny. In the *Republic*, he called the law an "external authority" that functions as the "ally of the whole city."

Plato stressed the importance of law in his other works. In the *Crito*, a dialogue between Socrates and his friend Crito, Crito offers Socrates a way to escape his impending execution. Socrates refuses, explaining that when a citizen chooses to live in a state, he "has entered into an implied contract that he will do as . . . [the laws] command him."

Plato's ideal and just state is an **aristocracy**, the rule of the best. He believed leaders needed to be wise and trained in how to run a state, just as captains of ships are trained in how to run a ship. He divided his ideal state into three classes. The lowest and largest class is the producers: the farmers, craftsmen, traders, and others involved in commerce. The next class is the warriors, those who defend the state. They are educated in sports, combat, and philosophy. From the best of warrior class, the ruling class is drawn. Its members will study philosophy and be given government and military positions until age 50, when the best of them become philosopher kings.

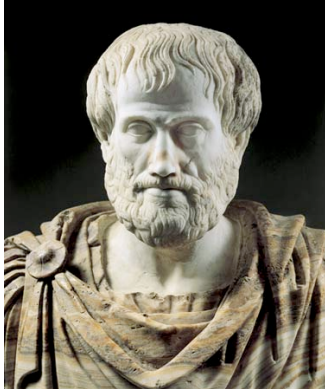
| Class | Comprised of... | Interest | Education | Property |
|---------|-------------------------------|----------------|-----------|----------|
| Lower | farmers, craftsmen, merchants | pleasure | no | yes |
| Warrior | soldiers & police | honor & glory | yes | no |
| Ruling | philosophers | reason, wisdom | yes | no |

Plato believed the lower class should own all the land and control all the wealth. The warrior class should live by a code of honor. The ruling class should use reason and live to gain wisdom. Plato believed the warrior class and the ruling class should not gain wealth or produce family dynasties.

Plato concluded:

Until philosophers are kings and political greatness and wisdom meet in one . . . cities will never have rest from their evils . . .

Aristotle (384–322 BCE)



Aristotle

Dagli Orti/ DeA Picture Library

Born in the north of Greece, Aristotle came from a family linked to the kingdom of Macedon. His father worked for the king as a court doctor. When Aristotle grew up, he studied philosophy at Plato's Academy for 20 years, leaving when Plato died. He traveled and then tutored the king of Macedon's 13-year-old son, Alexander (the future Alexander the Great).

When Alexander became king of Macedon in 335 BCE, Aristotle returned to Athens to set up his own school, called the Lyceum. He studied, catalogued, lectured, debated, and wrote about every area of human knowledge.

Although Plato had been his teacher, Aristotle disagreed with much of Plato's philosophy. Plato was an idealist, who believed that everything had an ideal form. Aristotle believed in looking at the real world and studying it.

Aristotle was more interested in science than Socrates or Plato. He wanted to use Socrates' logical methods to figure out how the real world worked; Aristotle is really the father of today's scientific method. Aristotle led his students in research in every existing field of knowledge. They dissected animals and studied the habits of insects. The science of observation was new to the Greeks. Hampered by lack of instruments, they were not always correct in their conclusions.

Aristotle was especially interested in biology, in classifying plants and animals in a way that would make sense. This is part of the Greek impulse to make order out of chaos: to take the chaotic natural world and impose a man-made order on it. When Alexander was traveling all over Western Asia, he had his messengers bring strange plants back to Aristotle for his studies. One of Aristotle's most important contributions was defining and classifying the various branches of knowledge. He sorted them into physics, metaphysics, psychology, rhetoric, poetics, and logic, and thus laid the foundation of most of the sciences of today.

Aristotle also made efforts to create order in peoples' governments. He created a classification system of monarchies, oligarchies, tyrannies, democracies and republics which we still use today.

Aristotle spent many years teaching in Athens, which was under the control of Macedon. When Alexander the Great died, however, anti-Macedonians took control of Athens. Linked to Macedon, Aristotle was accused of not accepting the gods of Athens, one of the same charges leveled against Socrates. Unlike Socrates, however, Aristotle did not stand trial. He fled to a home in the countryside, saying, as the story goes, that he did not want Athens to "sin twice against philosophy" (its first sin being the execution of Socrates). Aristotle died the following year in exile.

Aristotle's Politics

Like Plato, Aristotle, wrote extensively on the subjects of tyranny and the rule of law. He hoped that his *Politics*, a collection of essays on government, would provide direction for rulers, statesmen, and politicians.

In *Politics*, Aristotle rejected Plato's ideal state. He said that it fails to address conflicts that will arise among its citizens. Unlike *The Republic*, *Politics* does not describe an ideal system of government. Instead, Aristotle explored practical constitutions that city-states can realistically put into effect. His aim was to

“consider, not only what form of government is best, but also what is possible and what is easily attainable.”

He studied the different governments in Greece’s many city-states. Aristotle stressed that laws must uphold just principles, such that “true forms of government will of necessity have just laws, and perverted forms of government will have unjust laws.”

Aristotle stated that “the rule of law . . . is preferable to that of any individual.” This is because individuals possess flaws and could tailor government to their own individual interests, whereas the rule of law is objective. Rulers must be “the servants of the laws,” because “law is order, and good law is good order.”

In fact, one of Aristotle’s true forms of government is a **polity**, a kind of constitutional democracy in which rich and poor respect each other’s rights and the best-qualified citizens rule with the consent of all. This type of state arises when the middle class is strong.

The U.S. Constitution

Like Plato and Aristotle, our nation’s founders worried about tyrannical government. Recognizing that tyranny could come from a single powerful ruler or from “mob rule,” the founders wrote into the Constitution mechanisms to prevent tyranny and promote the rule of law. They separated the powers of government into three equal branches of government: the executive (the president), the legislative (Congress), and the judicial (the Supreme Court). Each branch can check the other to prevent corruption or tyranny. Congress itself is divided into the House of Representatives and the Senate. The House, elected for two-year terms, is more likely to be swayed by the passions of the people than the Senate, elected to six-year terms. The Constitution further limits the powers of the government by listing its powers: The government may not exercise any power beyond those listed. The first 10 amendments to the Constitution, the Bill of Rights, protect people’s liberties and freedoms. In creating the judicial branch of government, the framers gave federal judges lifetime terms, thus ensuring that judges would base their decisions on the law and be less likely to be swayed by politics.

Source - Adapted from: “**Socrates**.” *Britannica School*. Encyclopædia Britannica, Inc., 2013. Web.

“**Aristotle**.” *Britannica School*. Encyclopædia Britannica, Inc., 2013. Web.

<http://www.crf-usa.org/bill-of-rights-in-action/bria-26-1-plato-and-aristotle-on-tyranny-and-the-rule-of-law.html>

For Discussion

1. What is the rule of law? How can it help prevent tyranny?

2. British Prime Minister Winston Churchill (1874–1965) once said that “democracy is the worst form of government except all those other forms” What did he mean? Do you agree? Explain.